UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/53/73
S/1998/163
26 February 1998
ENGLISH
ORIGINAL: SPANISH

GENERAL ASSEMBLY
Fifty-third session
Items 72 (q) and 73 of the preliminary list*
GENERAL AND COMPLETE DISARMAMENT:
REGIONAL DISARMAMENT
REVIEW AND IMPLEMENTATION OF THE CONCLUDING DOCUMENT OF THE TWELFTH SPECIAL SESSION OF THE GENERAL ASSEMBLY

SECURITY COUNCIL
Fifty-third year

Letter dated 25 February 1998 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General

I have the honour to transmit the following documents:

(a) Brasilia Declaration of 26 November 1997, signed by the representatives of Ecuador and Peru (see annex I);

(b) Timetable of activities for the implementation of the proposals contained in the Declaration (see annex II);

(c) Paragraph 1 (a) of the document "Bases for an understanding between the Parties" (see annex III).

I should be grateful if you would arrange to have this note and its annexes circulated as a document of the General Assembly, under items 72 (q) and 73 of the preliminary list, and of the Security Council.

(Signed) Luis Valencia RODRIGUEZ
Permanent Representative

* A/53/50.

ANNEX I

Declaration signed in Brasilia by the representatives of Ecuador and Peru on 26 November 1997

On Monday, 24 November 1997, the second phase of the substantive talks between Ecuador and Peru, which fall within the framework of the Santiago Agreement of 29 October 1996, began in Brasilia, Federative Republic of Brazil.

The delegations of Ecuador and Peru, high-level representatives of the Guarantor Countries and the members of the Follow-up Commission designated by the latter to assist in these talks were present on that occasion in Brasilia.

Previously, the Parties had received from the Minister for Foreign Affairs of Brazil a document containing suggestions from the Guarantor Countries regarding a general outline which could be used as a focal point or to facilitate the progress of this important process.

The Parties commended the efforts of the Guarantor Countries, expressed satisfaction with their cooperation and made comments as to substance and form, with explanations of their points of view. It was agreed that Ecuador and Peru would consider the following matters in good faith, in accordance with the Rio de Janeiro Protocol of Peace, Friendship and Boundaries of 1942 and its supplementary instruments, and on the basis of the Itamaraty Peace Declaration of 1995:

(a) Consideration of a trade and navigation treaty, under the terms envisaged in article six of the Protocol of Rio de Janeiro;

(b) Consideration of a comprehensive agreement on border integration;

(c) Physical demarcation of a common land boundary;

(d) Establishment of a binational commission on mutual confidence- and security-building measures.

At the same time, it was agreed that the Parties and the Follow-up Commission would establish a timetable to promote the implementation of these proposals. The timetable will be finalized by the Parties and the Follow-up Commission.

The Parties and the high-level representatives of the Guarantor Countries expressed their satisfaction with the cordial and dignified manner and mutual respect in which the contacts had been made and reiterated their willingness to

continue their efforts to achieve further progress in order to attain the lofty objectives of peace, friendship and mutual understanding for which Ecuador and Peru are striving, with the resulting benefits for the inter-American community.

Brasilia, 26 November 1997

(Signed) Edgar TERÁN TERÁN

(Signed) Victor E. BEAUGE

(Signed) Luigi EINAUDI

(Signed) Fernando DE TRAZEGNIES

(Signed) Ivan CANNABRAVA

(Signed) Juan MARTABIT

ANNEX II

Timetable of activities for the implementation of the proposals contained in the Brasilia Declaration

I. TRADE AND NAVIGATION TREATY

The Parties shall appoint an Ecuadorian-Peruvian commission which shall draw up a draft trade and navigation treaty; the members of the commission shall be appointed no later than 2 February 1998. The lists shall be exchanged between the Parties and communicated to the Guarantor Countries.

On 2 February the Parties shall exchange preliminary drafts of an agreement or, if they prefer, the basic elements which in their view should be included in the Treaty, taking into consideration paragraph 1 (a) of the document "Bases for an understanding between the Parties", submitted by the Guarantors on 25 November 1997.

On 17 February 1998 the commission shall begin its work in Buenos Aires, with the presence and participation of the Guarantor Countries.

The commission shall also take up aspects related to navigation in the sectors where the boundary line intersects the rivers, in particular the Napo river, which shall be the subject of a specific agreement.

II. BORDER INTEGRATION

The Parties shall appoint a commission to draw up a draft comprehensive agreement on border integration, no later than 2 February 1998. The commission shall begin its work no later than 17 February 1998 in Washington, D.C.

The Parties shall keep the Guarantor Countries informed of the progress of the commission's work.

The commission shall also study measures on river basin management, including the management of the Zarumilla river basin.

III. PHYSICAL DEMARCATION OF A COMMON LAND BOUNDARY

The Parties shall appoint, no later than 2 February 1998, an Ecuadorian-Peruvian commission responsible for completing the preparations for the physical demarcation of a common land boundary in the Lagartococha and Zamora-Santiago and/or Cordillera del Cóndor sectors. The work of the Commission shall commence on 17 February 1998 in Brasilia.

Two 5-member legal and technical groups shall be formed for the purpose of assisting the Commission. The Parties shall appoint one member per group and the Guarantor Countries shall propose the remaining three members of each group

to the Parties. Upon acceptance of the list proposed by the Guarantors to the Parties, the two groups shall be established.

The Commission, on the basis of the submissions made in the first phase, shall indicate areas of disagreement to be submitted to the two legal and technical groups, which shall study them and give an opinion. Areas of disagreement noted in the first phase which have not been submitted to these legal and technical groups shall be expressly suspended and resolved when the Parties reach a comprehensive and lasting agreement.

The two groups shall submit opinions to the Commission, having due regard to technical considerations and in accordance with law, on the areas of disagreement presented to them and on measures for the physical demarcation of a common boundary, in accordance with article eight of the Protocol of Rio de Janeiro and the supplementary instruments thereof, which shall be evaluated by the respective groups from a legal perspective.

The Commission shall propose a solution to the Parties. Upon its acceptance, the Commission, with the help of the legal and technical groups, shall, within a period of 15 business days, complete the necessary desk work to indicate the proposed boundary, with the respective geographical coordinates, on a geographical map, identifying places where landmarks should be established upon the formal conclusion of the comprehensive and lasting agreement. In the meantime, the preparatory desk work, the opinion of the legal and technical groups and the proposal of the Commission shall not be binding on the Parties.

The construction and official designation of landmarks shall be carried out by a binational team immediately upon signature of the aforementioned comprehensive agreement, taking into account that no aspect of the said agreement shall enter into force until such time as all landmarks have been established and officially designated.

In the event of a disagreement, the Guarantor Countries shall propose, in accordance with point 4 of the Santiago Agreement, procedures for the solution of disputes related to the execution of the physical demarcation of the common land boundary referred to in the preceding paragraphs.

IV. MUTUAL CONFIDENCE- AND SECURITY-BUILDING MEASURES

The Parties shall appoint, no later than 2 February 1998, an Ecuadorian-Peruvian Commission responsible for studying the establishment and functioning of a binational commission on mutual confidence- and security-building measures. The Commission shall commence its work on 17 February 1998 in Santiago.

The Parties shall report to the Guarantor Countries on the progress of such work.

V. FOLLOW-UP

The Ministers for Foreign Affairs of Ecuador and Peru shall progressively monitor the process described herein and remain in constant, direct contact. To that end, the national delegations shall hold meetings as frequently as is deemed necessary, with the participation of the Guarantor Countries.

VI. TIME PERIODS AND PROCEDURES FOR APPROVAL

The work on each of the themes indicated shall be carried out simultaneously. The agreements shall enter into force jointly on completion of the demarcation process. The Parties undertake to work together with a view to completing the process no later than 30 May 1998.

VII. OTHER MATTERS

ZARUMILLA CANAL

No later than 2 February 1998, the Parties shall establish a working group responsible for elaborating measures aimed at ensuring the effective operation of the Zarumilla Canal and the exploitation of its waters in accordance with the provisions of the Aranha Formula.

VIII. MORATORIUM

The Parties agree that the work carried out under this timetable shall remain confidential.

Done at Itamaraty Palace, Rio de Janeiro, on 19 January 1998.

For the Republic of Ecuador:
(Signed) Edgar TERÁN TERÁN

For the Republic of Peru:
(Signed) Fernando DE TRAZEGNIES

For the Guarantor Countries:

(Signed) Alfredo CHIARADIA
Argentine Republic

(Signed) Ivan CANNABRAVA
Federative Republic of Brazil

(Signed) Juan MARTABIT
Republic of Chile

(Signed) Luigi EINAUDI
United States of America

ANNEX III

Point 1 (a) of the document entitled "Bases for an understanding between the Parties"

Conversations between Ecuador and Peru

Brasilia, November 1997

1. The Governments of Ecuador and Peru shall focus their attention, in good faith, on the following initiatives with a view to reaching an agreement on the basis of the Protocol of Rio de Janeiro of Peace, Friendship and Boundaries of 1942 and its supplementary instruments, in accordance with the Itamaraty Declaration of Peace of 1995:

(a) The signing of a Treaty on Trade and Free Navigation, in accordance with the provisions of article six of the Protocol of Rio de Janeiro, and in conformity with the relevant principles of international law on watercourses. With a view to optimizing the benefits of a regime which guarantees free movement between Amazonian regions, such a treaty shall cover the following areas:

- Joint exploitation of watercourses and shared resources;

- Reciprocal port facilities and customs concessions associated with unimpeded navigation along the Amazon River and its northern tributaries;

- Reciprocal facilities for the installation and operation, where necessary, of free ports and free-trade zones and warehouses on the Amazon River and its northern tributaries;

- Establishment of a permanent consultation mechanism to review and monitor the implementation of measures aimed at eliminating the problems relating to the navigation of meandering rivers that are repeatedly intersected by an international boundary line;

- Identification of the most suitable river and port options and navigational facilities on the Amazon River and its northern tributaries, in accordance with a regime which guarantees Ecuador free, gratuitous, uninterrupted and perpetual access;

- Execution of projects to link roads and surface transportation facilities in order to maximize multimodal transport options in the Amazon Basin region.

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/53/74
27 February 1998
ENGLISH
ORIGINAL: FRENCH

Fifty-third session
Item 113 of the preliminary list*

HUMAN RIGHTS QUESTIONS

Letter dated 20 February 1998 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement issued on 16 February 1998 by the Presidency on behalf of the European Union on the ninth anniversary of the fatwa issued by the Islamic Republic of Iran against Salman Rushdie.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 113 of the preliminary list.

(Signed) John WESTON
Permanent Representative of the
United Kingdom of Great Britain and
Northern Ireland to the United Nations

* A/53/50.

ANNEX

[Original: English and French]

Statement issued on 11 February 1998 by the Presidency of the European Union on the ninth anniversary of the Iranian fatwa against Salman Rushdie

On the ninth anniversary of the publication of the fatwa condemning the British author Salman Rushdie to death and calling for his assassination, the European Union recalls and repeats the affirmations it has made on previous anniversaries of the fatwa, in particular, that the fatwa remained null and void because it violated the Universal Declaration of Human Rights and the principle of the sovereignty of States, which have responsibility for the protection of their nationals.

The European Union also expresses its grave concern over the continuing threats to the lives of individuals associated with the work of Salman Rushdie.

Recalling previous resolutions of the Council of Europe, the European Union calls upon the Islamic Republic of Iran to abide by international law and urges the Iranian authorities to work with the Union to find a satisfactory solution in respect of Salman Rushdie.

The European Union welcomes the new Iranian Government's stated commitment to respect the rule of law and its emphasis upon the need for a dialogue of civilizations. The European Union hopes that this will take us towards the assurances that we need to remove the threat to Salman Rushdie's life.

The Central and Eastern European countries associated with the European Union, the associated country Cyprus and the European Free Trade Association (EFTA) countries members of the European Economic Area align themselves with this statement.

UNITED
NATIONS

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General Assembly

Distr.
GENERAL

A/53/75
27 February 1998
ENGLISH
ORIGINAL: FRENCH

Fifty-third session
Item 113 of the preliminary list*

HUMAN RIGHTS QUESTIONS

Letter dated 24 February 1998 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement issued on 19 February 1998 by the Presidency on behalf of the European Union on the abolition of the death penalty in Azerbaijan.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly, under item 113 of the preliminary list.

(Signed) John WESTON
Permanent Representative of the
United Kingdom of Great Britain and
Northern Ireland to the United Nations

* A/53/50.

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ANNEX

[Original: English and French]

Declaration issued on 19 February 1998 by the Presidency of the European Union on the abolition of the death penalty in Azerbaijan

The European Union welcomes the adoption by the parliament of Azerbaijan, on 10 February 1998, of a law abolishing the death penalty in Azerbaijan.

This is a significant step forward. The Union encourages Azerbaijan to persevere in strengthening democracy and the rule of law with a view to accession to the Council of Europe.

The Union reaffirms its support for the Council of Europe's position regarding the abolition of the death penalty and remains in favour of the abolition of the death penalty worldwide.

UNITED NATIONS **A**

General Assembly

Distr.
GENERAL

A/53/76
27 February 1998
ENGLISH
ORIGINAL: FRENCH

Fifty-third session
Item 29 of the preliminary list*

NECESSITY OF ENDING THE ECONOMIC, COMMERCIAL AND FINANCIAL EMBARGO IMPOSED BY THE UNITED STATES OF AMERICA AGAINST CUBA

Letter dated 24 February 1998 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement issued on 24 February 1998 by the Presidency on behalf of the European Union regarding the release of prisoners in Cuba.

I should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly.

(Signed) John WESTON
Permanent Representative of the
United Kingdom of Great Britain and
Northern Ireland to the United Nations

* A/53/50.

ANNEX

[Original: English and French]

Statement by the Presidency on behalf of the European Union on the release of prisoners in Cuba

The European Union appreciates the welcome extended by Cuba to Pope John Paul II and views this as a positive step in the development of religious freedom there. The Union also welcomes the Cuban Government's decision to release immediately a certain number of prisoners in response to the Pope's appeal, and urges the authorities to liberate and fully reintegrate into society all who have been imprisoned because of peaceful expression of their political views, including the four leading members of the Internal Dissidence Working Group. The Union considers both the visit and the release of prisoners as positive steps towards greater religious and civic freedom in Cuba, and looks for this process to continue.

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General Assembly
Security Council

Distr.
GENERAL

A/53/77
S/1998/171
27 February 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-third session
Items 46 and 113 of the
preliminary list*
FIFTIETH ANNIVERSARY OF THE UNIVERSAL
DECLARATION OF HUMAN RIGHTS
HUMAN RIGHTS QUESTIONS

SECURITY COUNCIL
Fifty-third year

Letter dated 26 February 1998 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the texts of the appeal issued on 22 February 1998 to the peoples and States of the world and international organizations by the inhabitants of the town of Khodjaly (annex I) and the appeal issued on 23 February 1998 to the heads of State and peoples and religious leaders of the world by the heads of the Christian and Jewish communities of Azerbaijan (annex II) in connection with the sixth anniversary of the genocide perpetrated by Armenian forces in the town of Khodjaly on 26 February 1992.

I should be grateful if you would have the text of the present letter and its annexes circulated as a document of the General Assembly under items 46 and 113 of the preliminary list, and of the Security Council.

(Signed) Eldar KOULIEV
Permanent Representative

* A/53/50.

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ANNEX I

[Original: Russian]

Appeal issued on 22 February 1998 to the peoples and States of the world and international organizations by the inhabitants of the town of Khodjaly in connection with the sixth anniversary of the genocide in Khodjaly

Six years have passed since the Khodjaly genocide - one of the bloodiest crimes in the history of mankind.

The date 26 February was proclaimed the Day of the Khodjaly Genocide and National Mourning by a decision of the Milli Mejlis (parliament) of the Azerbaijani Republic. On the orders of the President of the Azerbaijani Republic, a minute of silence is declared every year on 26 February at 1700 hours in the territory of the Azerbaijani Republic to honour the memory of the victims of the Khodjaly genocide. All international organizations have been informed of this. The Azerbaijani people spends this day every year in profound mourning and sorrow.

On this day six years ago, Armenian separatists, armed with the most modern equipment, which was provided to them free of charge by their patrons abroad, and with the direct assistance of the 366th motor-rifle regiment of the former USSR, stationed in Hankendi, committed an unthinkable, brutal act. Having razed the town of Khodjaly, they mercilessly destroyed hundreds of helpless, innocent people. They did not spare even children, women or old people. As a result of the atrocities by the criminal military units, 613 inhabitants of Khodjaly were shekhidy (victims) and 487 were disabled. From among the peaceful population of Khodjaly, 1,275 persons were taken prisoner and subjected to unprecedented Armenian oppression, insults and humiliation. To this day, the fate of 150 persons is unknown. Among the shekhidy, there were 106 women and 63 small children. Seventy-five of the disabled were boys and girls who had not reached adulthood. Six families were totally wiped out; 25 children lost both parents and 130 small children lost one of their parents.

In this crime, 56 persons were killed with particular cruelty and savagery. They were burned alive, beheaded and scalped; the eyes of small children were cut out and the stomachs of pregnant women were slashed open with bayonets. The corpses were subjected to outrages that cannot be described in words.

In general, the Khodjaly tragedy, which demonstrated the aim to destroy the Azerbaijani people, is a result of systematic genocide by Armenian nationalists. Armenian nationalist-separatists, conducting a policy of ethnic cleansing and committing acts of mass bloodshed from time to time, expelled Azerbaijanis from their historical homeland. After violently driving the last Azerbaijani from Armenia, they began the occupation of the territory of Azerbaijan. The fact that the civilized world community did not attempt to prevent this savagery and failed to characterize in political and legal terms the brutal actions and bloody aggression by the Armenians as an act against humanity inspired them to be even more merciless in carrying out their intentions to create the State of

"Greater Armenia" by seizing our territory. As a consequence, those guilty of the Khodjaly genocide committed further crimes: 20 per cent of our territory was occupied; and more than a million refugees were forced to live in intolerable conditions. And this was a crime which was directed not only against Azerbaijan, but against all mankind and humaneness.

The horror endured will remain forever in the memory of all our people, including the memory of the people of Khodjaly who by chance survived this repeated slaughter of the twentieth century. For six years now, we have been appealing to the peoples and States of the world, international organizations and all people who believe in the Most High. We have one wish - that the world community, demonstrating that it is not indifferent to human pain and that it relates to all peoples and nations with equal mercy and objectivity, condemn the Khodjaly genocide and now, in bringing about a peaceful settlement of the Karabakh problem, put an end to the obstinate behaviour of the aggressor.

Forthrightly supporting the desire and determination of the President of Azerbaijan, Heydar Aliev, to end the war through peaceful means, we express the hope that, for the tranquillity of our radiant world, so that never again anywhere in the world will the mass destruction of people be permitted, you, believing that justice is paramount, will clearly condemn the crime of those who committed the Khodjaly genocide. We believe that, if this is done, the Khodjaly genocide will be the last tragedy that people will hear of and see.

ANNEX II

[Original: Russian]

Appeal issued on 23 February 1998 to the heads of State, peoples and religious leaders of the world by the heads of the Christian and Jewish communities of Azerbaijan

We, the heads of the Christian and Jewish communities of Azerbaijan, appeal to the conscience of the world community and of all people of good will.

Azerbaijan is the indivisible homeland and the common home of the sons and daughters of many peoples professing different religions. For 10 years now, our country has been the innocent victim of aggression by Armenia, which seized and is still holding a fifth of the territory that has been Azerbaijani since time immemorial.

The war, imposed by a greedy neighbour, brought Azerbaijan and its multinational people enormous distress and suffering, which are continuing to this day. The barbarous acts perpetrated by Armenia led to the death of tens of thousands of people, destroyed the fruits of their creative labour, laid waste to towns and villages and desecrated temples and cemeteries. The cruelty and savagery of the aggressor were horribly demonstrated in Khodjaly, where the peaceful, defenceless population of this entire Azerbaijani town, including, women, children and old people, were subjected to barbarous destruction. The tragedy of Khodjaly, which occurred exactly six years ago, is comparable to the tragedies that took place in Lidice and Khatyn.

It is incomprehensible that such a crime against humanity was committed at the end of the twentieth century. One of the main reasons for it is the fact that world public opinion, from the very beginning, failed to condemn Armenia as a usurper that flouted all the norms of international law and general morality. Convinced of its impunity, the aggressor still continues to occupy 20 per cent of the territory of Azerbaijan, having turned more than a million people into refugees. The most recent events in Armenia demonstrate that that country does not intend to renounce its policy of expansionism and is prepared to resort to any means, including military ones, in order to hold on to the Azerbaijani lands that were seized by force of arms and to thwart efforts to achieve a just peace.

Armenia's actions are a defiant challenge to all mankind, a test of its conscience and humanity and its faithfulness to the age-old values of goodness and justice. The sacred service of peacekeeping signifies the affirmation of the will of the Most High on Earth, peace, the just settlement of all conflicts and the elimination of hotbeds of international tension. We, the heads of the Christian and Jewish religions in Azerbaijan, also see our duty in this. We fervently wish that all peoples and countries hear our call, be filled with our pain and immediately take decisive steps to halt the aggressor and restore peace in our tormented Azerbaijani land. We request religious leaders to be our ambassadors and bring this appeal to their peoples and Governments so that every heart will be imbued with our impassioned entreaty.

In affirmation of peace, kindness and justice and in order to eliminate evil and violence, all people, regardless of their national affiliation and religion, must stand together, for we have a single Creator and we share the same humanity. With our faith and hope in this, we raise our prayers to the Most High. Amen.

(Signed) Archimandrite Aleksandr
Diocesan Head of the Russian
Orthodox Churches in Azerbaijan

(Signed) Moshe BEKKER
Head of the European Jewish
Community in Baku

(Signed) Semyon IKHILOV
Head of the Community of
Mountain Jews in Baku